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## January 2010 Docket

Georgia State University College of Law

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Volume XVI, Issue 2

law.gsu.edu/thedocket

January 2010

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## Understanding the registration controversy

*"Class reserving" framed by issues of ethics, notice and technological limitations*

By Andy Hagenbush, 2L

Registration for second year law students at Georgia State University for Spring semester 2010 opened up at Noon on October 27th, 2009. Hoping to get the few remaining spots in the classes of their choice, 2Ls crammed into any available classroom, most at least 15 minutes before noon, repeatedly refreshing the registration website. Within a minute after registration opened, many of the classes were already filled and some students had to resort to their second or third choices in many classes, including some very inconvenient hours for some litigation sections.

However, for those 2Ls who worked with a 3L to hold the classes they wanted, there was never any doubt they would be able to register for their classes.

Associate Dean for Student Affairs Roy Sobelson almost immediately received grumblings from second year students about how fast some classes filled.

Students reported that some litigation courses were filled before 2L registration even officially opened. Because the registration software tracks every student transaction, including every single drop/add of a course, Sobelson could investigate these complaints. While he was looking at the individuals signed up for Litigation he "immediately noticed more than one name ... who had already taken [the class]."

Despite the appearance of impropriety, the Dean assumed no wrongdoing. After discussing the situation with the students involved, he realized that these registration decisions were not made in error and that a handful of second- and third-year students were working together to "hold" classes.

Speculation and rumor quickly spread among the students. For some, the first and

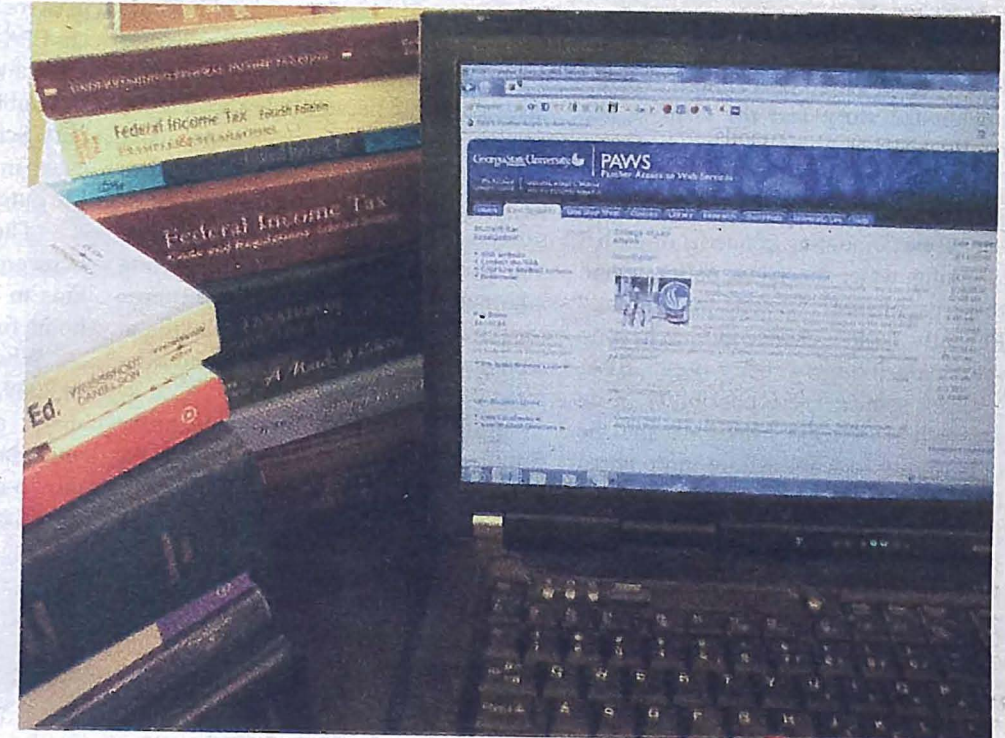


Photo by Alison Makins

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See **REGISTRATION** on Page 3.

## Additional security added for students leaving Urban Life after dark

By Kevin Jeselnik, 1L

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The program is an extension of the campus' existing safety escort service. The service currently provides two escort vans on



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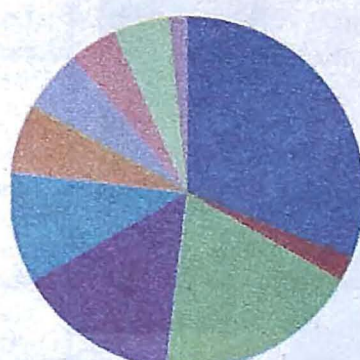
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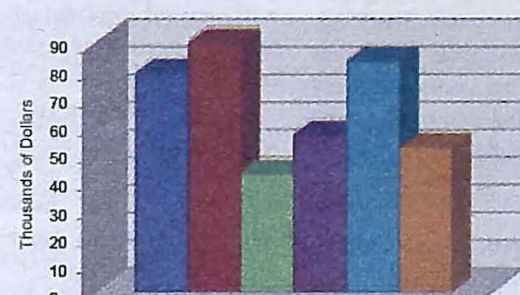
### Employment Statistics - Class of 2008

(95% Employed within 9 months)



Small Firm, 2-25 (31%)  
Medium Firm, 26-50 (2.2%)  
Large Firm, over 50 (18.6%)  
Non-Legal (14.7%)  
Public Interest (10.2%)  
Prosecution (6.2%)  
Clerk (5.7%)  
Corporate Legal (4.5%)  
Govt. Agency/Military (5%)  
Solo Practice (1.7%)

### Average Starting Salaries



Source: GSU College of Law Career Services Office

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## Governments and humans: An insider's view of the EPA

By Jane Stebbins, 2L

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To many Americans, the Environmental Protection Agency (EPA) represents the quintessential monolithic government agency—something from Douglas Adam's Vagon planet: mindless, bureaucratic, intimidating and a bit surreal. The EPA has perhaps garnered this reputation from media coverage of the agency's actions. It represents a hero or a villain, depending on the story and the slant of the media outlet.

Many EPA decisions are thrust into Americans' collective consciousness because of mounting concerns of global warming, water shortages, pollution and the responsive "green movement." Recently, I had a chance to look beyond the machinery of the EPA.

Last semester, the possibility of an externship with the EPA gave me the opportunity to learn a little more about the agency and its inner workings.

Just visiting the EPA office invokes visions of a bloated federal government agency. Located in the Sam Nunn Atlanta Federal Building, an imposing structure complete with a gray courtyard and green tinted windows marching in straight, perpetual lines, the setting for the EPA's Region Four headquarters in Atlanta does little to shed the typical imagery of government bureaucracy. Guests hoping to visit these offices must sign in, navigate security and locate the appropriate elevator in the dim, cavernous lobby of the federal building. Upon reaching the correct floor, the guest must sign in again and stare into a computerized camera for photo documentation of their visit.

Beyond the necessary security procedures, however, the bureaucratic stereotypes start to crumble. When I visited the EPA for an externship interview I was greeted by a middle-aged man with fuzzy gray hair, glasses sliding down his nose and sleeves rolled to the elbow. He led me to a comfortable, somewhat worn meeting room.

There I spoke with a group of equally comfortable, casually dressed attorneys, all of whom were nice, knowledgeable and open about their experience with the EPA. These lawyers working at the EPA are people. They have opinions, they care and they wear blue jeans.

Inspired by my experience during this interview, I decided to peek further into the EPA. Sarah Scott, 2L, a former intern from Georgia State University's College of Law and Paul Schwartz, an experienced attorney with the EPA, provided me with a perspective largely unrepresented in media coverage of the EPA—a human perspective.

After she interned at the EPA in the fall semester of 2009, Scott recognized the burdens inherent in security procedures. "Until security gave Scott her 'official' badge, the check-in process added 10 minutes to her commute every morning. She says that one of the most unexpected aspects of the experience for her was how laid back the attorneys were.

"I was also relieved," Scott said, "to see how much common sense and compassion they used in dealing with different sites. Some of these environmental laws can be pretty strict."

Schwartz is a veteran EPA attorney. Unlike many attorneys, Schwartz works forty-hour weeks. Schwartz primarily works with the Clean Water Act. His daily activities include analysis of complex statutory legal issues, client communication and preparation for potential litigation. Schwartz rarely has to wear a suit, but takes the responsibility seriously and knows his work is important.

"Environmental matters will always be a flash point for controversy," Schwartz said, "because controlling pollution can be very costly, or can disrupt a status quo that someone is heavily invested in and because there are a lot of people who are very passionate about protecting the environment, sometimes to a degree that the law doesn't necessarily validate. So a lot of times when you work on something it's like poking a hornet's nest. It's just part of the territory and you have to develop skills at navigating in a contentious environment."

As one of about 75 attorneys in the Southeast branch, Schwartz said the majority of what he does is help keep the agency out of trouble, which

a fuller picture of how some of these environmental sites are dealt with." Her position with the EPA also satisfied Scott's nerdy childhood dream: she received her very own cubicle.

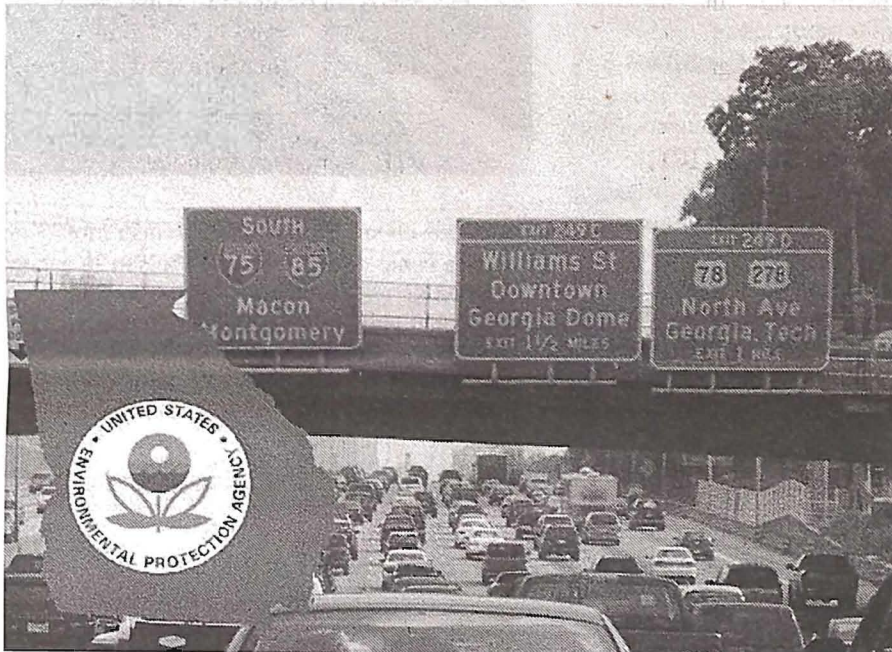
Schwartz has passed the point of excitement over his cubicle, but he reflected Scott's satisfaction regarding his work with the EPA.

He began his career at a larger firm, which he said, "Didn't interest me very much and didn't mesh well with my life in a rock band." He eventually joined the EPA where he has been since.

Schwartz's band, The Big Fish Ensemble, is largely inactive these days, but Schwartz remains intensely interested in his work while maintaining a life outside of the Agency.

"There are some exceptions," Schwartz said, "but usually I take my kids to school in the morning and am home for dinner."

When President Obama took office in 2009, some EPA employees expected major adjustments in agency policies and practices. Schwartz said that his day-to-day experience has not changed much, but it is early.



involves ensuring the EPA's actions fall within the constraints of several federal and state laws and regulations.

Scott's work with the agency involved elements of bankruptcy, tax, corporations, property and even criminal laws. Her research included "a lot of Tennessee corporation law," Concentrated Animal Feeding Operations and the Clean Water Act. She also warned that the Rule Against Perpetuities is not as anachronistic as survivors of first year property classes might hope.

"It seemed like everything I worked on," Scott said, "lead to some different area of law that was unexpected...."

A lot of the projects that I worked on were originally based on environmental law, but the determining issue was usually something completely different—which was both fun and frustrating at times."

Scott not only worked with a broad range of laws, but she also collaborated with several different attorneys—benefiting from their experiences while they benefited from hers.

Scott summarized her favorite aspect of the position, "Getting to work on several different projects with several attorneys and having my opinion/ideas given as much consideration as a 'real' employee."

"I was also allowed to sit in on both client and opposing party meetings," Scott said, "which was interesting to get

"I'd say there is a greater focus on following science," Schwartz said, "and sort of a renewed effort to address some problems that have seemed intractable—figuring out how to deal with climate change, how to better address storm water and agriculture-related pollution, nutrient pollution of waters and coal mining impacts. It's still early in the administration so policies in these areas are still emerging."

Paul Schwartz and Sarah Scott's experiences help to personalize the EPA. Their comments may not prevent many from losing faith in the great governmental machine, but they help to humanize the agency.

The full interview with Paul Schwartz can be found online at [www.law.gsu.edu/thedocket](http://www.law.gsu.edu/thedocket).

Jane Stebbins is interested in land use and environmental law. When she is not frantically pounding knowledge or writing incisive prose, she can be seen rocking the bass with her band, The Jane and Scott Show. Jane is Managing Editor and a featured blogger for The Docket. Her other blog can be found at [www.js-show.com](http://www.js-show.com).



**THE DOCKET**  
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At that point, the student with the fewer hours would immediately log into the registration system and “pick up” that dropped class.

In its current version, the GSU registration software contains three critical flaws which permit students to engage in this activity.

According to Sobelson, the system should do three things it currently does not: 1) prevent someone from registering for classes when they have not met the prerequisites, 2) prevent people from retaking courses and 3) allow only those on a waiting list to register for a recently dropped class spot (in its current form, any student could sign up for an open spot). Had these safeguards been in place, the class registration controversy in question would not have occurred.

Solving these technological limitations is difficult because the College of Law is tied to the registration software of the University and cannot acquire better software on its own. Even so, Sobelson noted, “the first two problems have since been solved.” The Dean and Registrar are currently solving the third issue using manual methods.

Some students feel that amending the Honor Code might circumvent the shortcomings in technology and provide

stronger notice against future “class reserving” practices. The Dean was less receptive to this solution, saying, “It would be difficult to draft a revision without it being overbroad...we only want to restrict a specific type of registration activity.” Additionally, Sobelson believes the Code’s “pre-professional misconduct” provision already encompasses the activity in question.

Although “class reserving” is not specifically prohibited by the current Honor Code, it raises issues off fair play and ethics.

On the other hand, other students say that any punishment for doing something not specifically prohibited by the Honor Code would be improper because those involved had no notice that their actions were punishable.

After discussing the matter with numerous students, it became clear that student reaction to the practice of “class reserving” largely broke along lines of graduating class.

Because the practice has no effect on 3Ls ability to register for their desired classes and 1Ls have their schedule’s set for them, the 2Ls were predictably the most vocally opposed group of students.

*“The system was designed to ensure everyone had an equal chance at registering for a class.”*

One second year student, who wished to remain anonymous, said, “There’s a reason the registration system is so regulated. The system was designed to ensure everyone had an equal chance at registering for a class. [Those involved] circumvented the system and...because some professors give out higher grades than others, not getting into a particular class definitely can affect your grades.”

On the other hand, those indifferent to the practice of “class reserving” point out that there is nothing specifically stated in the Honor Code preventing students from working with an upper-class friend to get a particular course. Moreover, many students did the same thing when they were undergraduates without consequence and any punishment would be improper because there was no notice of any wrongdoing.

Sobelson is not persuaded by the “notice” argument. He reasons that the argument that “by virtue of not being mentioned in the honor code means [the practice] is allowed” doesn’t stand up in light of the structure of the Honor Code. In addition, the section on pre-professional misconduct, a catch-all provisions stating, “basically anything inconsistent with being trustworthy is in violation of code,” provided sufficient notice. The Dean

argues that these students “must have known” their actions were not indicative of trustworthiness.

Despite that, the Dean said everyone he spoke to was “open and honest” and even volunteered their punishment: being withdrawn from those “reserved” courses. The Dean dispelled any rumor of an individual “mastermind” behind “class reserving,” although he believed many more individuals were involved than he is aware of.

According to Sobelson, the lesson gleaned from the controversy is that “if there is a problem, it is beneficial to bring it to [the Deans’] attention—we cannot fix problems we are unaware of.”

Andrew Hagenbush received a degree in industrial engineering from Georgia Tech. He is the News Editor of the Docket, Vice

President of the Environmental Law Society and a member of Student Trial Lawyers Association, Sports & Entertainment Law Society and the Oglethorpe Society.



## Better Know a Legal Profession: Employment Law

### An Interview with Tony Ventry of King & Spalding

By Janet Hardman, 2L

To some, their job is just the place they go everyday in between the “real” parts of their life. For others, work is their passion. For most of us in law school (at least lately), a job is anything that pays us. But for employment lawyers, the workplace is fraught with legal issues and is fertile breeding grounds for lawsuits.

Regardless of where you are on this spectrum, work is one of the common denominators in human experience. Until people stop needing jobs, employment law will continue to be a thriving and relevant practice.

To find out more about what to expect from a career in employment law, I spoke with Georgia State University College of Law graduate Tony Ventry. Ventry is now an associate at King & Spalding, specializing in labor and employment law.

#### Why employment law?

Employment cases typically present an extensive sampling of factual situations and legal questions. Not surprisingly, day-to-day practice is likewise varied. Ventry explains that employment practice affords associates the opportunity to get hands on experience with all phases of the litigation process: from working on the EEOC charge, to drafting a complaint or answer, working on discovery requests and responses, drafting dispositive motions and even taking depositions, participating in mediation or arguing a motion at a hearing. Although cases are often resolved through settlement or at summary judgment, trial opportunities do arise.

Employment associates’ workloads may also involve counseling employers, reviewing employment manuals or drafting employment-specific contracts, like non-compete or severance agreements. Ventry elaborates that other commercial matters usually have several associates working on each case, but employment groups are usually smaller and their cases

are typically staffed lower, when compared to other practice areas.

Therefore, he says, employment associates have great opportunities to get in-depth, qualitative experience on each case, including taking ownership of both the legal issues and the client-management aspects. “There is a lot of direct work with clients. Often the associate is the client’s primary contact at the firm with respect to a specific matter,” Ventry says.

#### I got a job! But it is not in employment law. Now what?

Because employment sections in firms that do not exclusively handle employment matters tend to be relatively smaller compared to other practice groups, there are not always going to be openings where you work. If your job is at such a firm, Ventry advises making it known that you are particularly interested in employment law.

He says a smart move can be to introduce yourself to the partners and let those specializing in employment law know of your interest. Volunteering to write or research for one of their articles is a simple way to stay on your targeted partners’ radars.

Regardless of your area of specialty, Ventry stresses the importance of finding the right mentor.

Ventry stated that though GSU College of Law has a great reputation in the area for producing lawyers who adapt to practice quickly, careers in law are still very much an “apprentice-type system.” Finding someone whose judgment you trust to show you the ropes is invaluable.

Janet Hardman is interested in employment law. She enjoys her work as President of the Labor and Employment Law Society and with Jennifer Ann’s Group. Contact Janet at janethardman99@gmail.com.



## SECURITY continued from Page 1.

The new service was spurred by student concerns voiced at a Dean’s Forum late last semester regarding the long waits experienced by those seeking the safety escort service. Other students complained that it was inconvenient because the police balked at calling the students on their cell phones as they approached so that the student could meet them outside the building without having to wait outside the entire time.

“While the original safety escort service has been around for years,” explained Sobelson, who initiated the new program alongside Police Chief Connie Sampson, “students don’t use it as much as they should, and I would always prefer our students use an escort when leaving the building after dark instead of walking out by themselves.

“The reason I asked for this specific arrangement is that students have complained that the police have at times taken as long as an hour to arrive or asked students to stand outside and wait,” Sobelson added. “Too many students have neglected to use the service due to second-hand information regarding the long waits, but we encourage students to call, and that they insist on waiting inside and have the police call them on their cell phone when they are about to arrive.”

Sergeant Perkins acknowledged that there will sometimes be delays between requests for escorts and their arrival, as the two vans service a campus of 30,000 students, but noted that the program’s monitoring system shows that they have a typically strong response time.

“When there is a delay, we have police officers assist the safety escorts by also providing students with an escort, so long as they are available,” Perkins said. “Patience is key; if you feel you need an escort, don’t carry on alone instead of waiting. Sometimes you may have to wait for 5 or 10 minutes, but you can watch for the officer inside; you don’t have to wait outside for the escort.”

Sobelson also encourages students using university services to contact him or Dean Kelly Timmons with feedback on the good and the bad aspects of the programs.

“Since other faculty members and I don’t use many of these services, we would rather rely on students’ input than that which is supplied by the university when determining how to best serve our students,” he noted. “It helps when students contact us with reports of positive or negative experiences.”

While the on-call officer will be able to aid students exiting night classes, which end at 8:45 p.m., as well as the many stragglers exiting their law school fox holes after dark, Sergeant Perkins encourages all students, male or female, to utilize the service whenever they feel they need it.

“The best way for students to ensure their safety is to always be conscious of their environment,” Perkins said. “Students need to use the escort service, and always walk in groups of two or more. Don’t take a short cut down a back alley or service thoroughfare just to save two minutes; stay in well-lit areas. You can program the emergency number, (404) 413-2100, into your phone.”

While males are typically resistant to accepting assistance in getting across campus, Perkins pointed out that, statistically, men are victims of more crimes, so they shouldn’t hesitate to call a safety escort if they are heading out of the Urban Life building late at night.

With the existing Escort Vans and new on-call officer, the university and GSU police department are working to prevent any further thefts or assaults against students on campus. By utilizing the services and exiting the building in groups, students can play a part in ensuring safe travels to and from the College of Law.

Kevin Jeselnik is a graduate of the University of Georgia with a degree in Journalism and spent his time between college and law school as an editor of various trade publications covering the commercial real estate industry. Kevin is the Associate Editor of The Docket.





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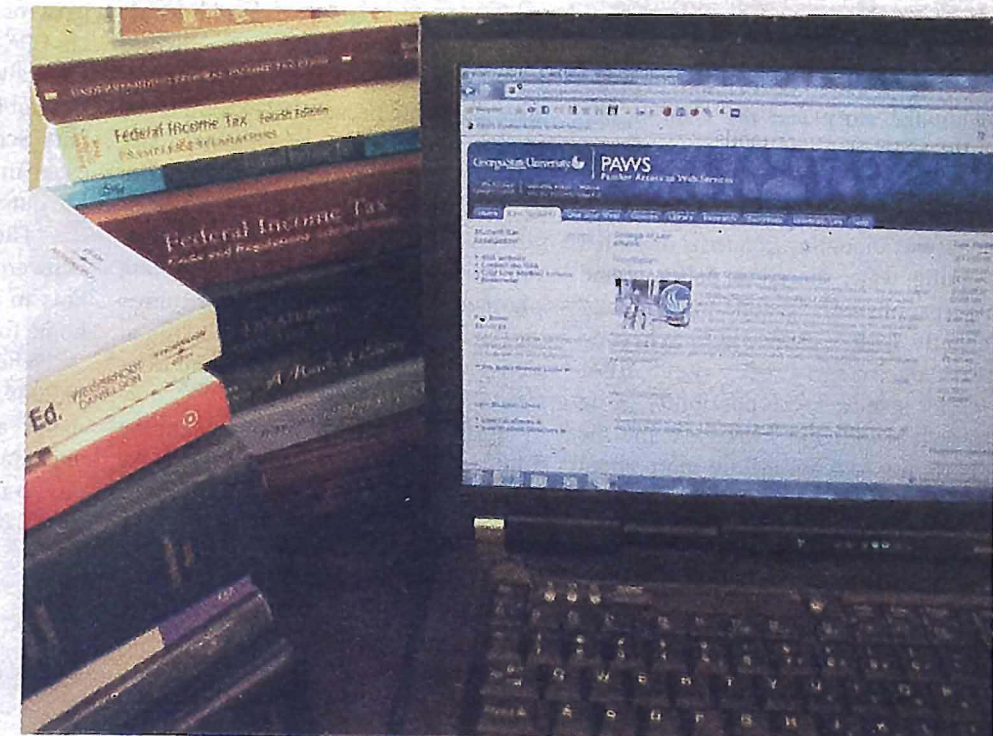


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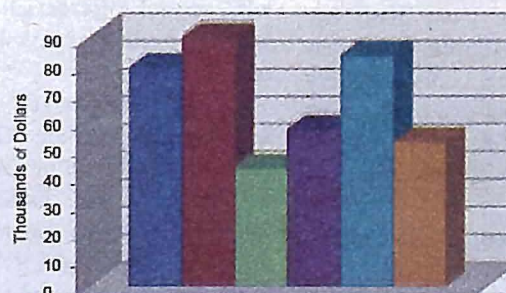
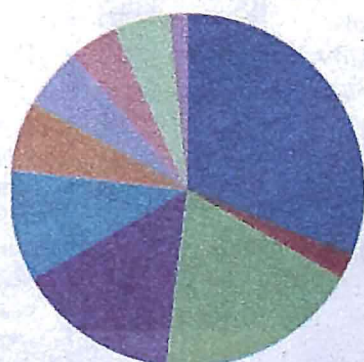
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Last semester, the possibility of an externship with the EPA gave me the opportunity to learn a little more about the agency and its inner workings.

Just visiting the EPA office invokes visions of a bloated federal government agency. Located in the Sam Nunn Atlanta Federal Building, an imposing structure complete with a gray courtyard and green tinted windows marching in straight, perpetual lines, the setting for the EPA's Region Four headquarters in Atlanta does little to shed the typical imagery of government bureaucracy. Guests hoping to visit these offices must sign in, navigate security and locate the appropriate elevator in the dim, cavernous lobby of the federal building. Upon reaching the correct floor, the guest must sign in again and stare into a computerized camera for photo documentation of their visit.

Beyond the necessary security procedures, however, the bureaucratic stereotypes start to crumble. When I visited the EPA for an externship interview I was greeted by a middle-aged man with fuzzy gray hair, glasses sliding down his nose and sleeves rolled to the elbow. He led me to a comfortable, somewhat worn meeting room.

There I spoke with a group of equally comfortable, casually dressed attorneys, all of whom were nice, knowledgeable and open about their experience with the EPA. These lawyers working at the EPA are people. They have opinions, they care and they wear blue jeans.

Inspired by my experience during this interview, I decided to peek further into the EPA. Sarah Scott, 2L, a former intern from Georgia State University's College of Law and Paul Schwartz, an experienced attorney with the EPA, provided me with a perspective largely unrepresented in media coverage of the EPA—a human perspective.

After she interned at the EPA in the fall semester of 2009, Scott recognized the burdens inherent in security procedures. Until security gave Scott her "official" badge, the check-in process added 10 minutes to her commute every morning. She says that one of the most unexpected aspects of the experience for her was how laid back the attorneys were.

"I was also relieved," Scott said, "to see how much common sense and compassion they used in dealing with different sites. Some of these environmental laws can be pretty strict."

Schwartz is a veteran EPA attorney. Unlike many attorneys, Schwartz works forty-hour weeks. Schwartz primarily works with the Clean Water Act. His daily activities include analysis of complex statutory legal issues, client communication and preparation for potential litigation. Schwartz rarely has to wear a suit, but takes the responsibility seriously and knows his work is important.

"Environmental matters will always be a flash point for controversy," Schwartz said, "because controlling pollution can be very costly, or can disrupt a status quo that someone is heavily invested in and because there are a lot of people who are very passionate about protecting the environment, sometimes to a degree that the law doesn't necessarily validate. So a lot of times when you work on something—it's like poking a hornet's nest. It's just part of the territory and you have to develop skills at navigating in a contentious environment."

As one of about 75 attorneys in the Southeast branch, Schwartz said the majority of what he does is help keep the agency out of trouble, which

a fuller picture of how some of these environmental sites are dealt with." Her position with the EPA also satisfied Scott's nerdy childhood dream: she received her very own cubicle.

Schwartz has passed the point of excitement over his cubicle, but he reflected Scott's satisfaction regarding his work with the EPA.

He began his career at a larger firm, which he said, "Didn't interest me very much and didn't mesh well with my life in a rock band." He eventually joined the EPA where he has been since.

Schwartz's band, The Big Fish Ensemble, is largely inactive these days, but Schwartz remains intensely interested in his work while maintaining a life outside of the Agency.

"There are some exceptions," Schwartz said, "but usually I take my kids to school in the morning and am home for dinner."

When President Obama took office in 2009, some EPA employees expected major adjustments in agency policies and practices. Schwartz said that his day-to-day experience has not changed much, but it is early.



involves ensuring the EPA's actions fall within the constraints of several federal and state laws and regulations.

Scott's work with the agency involved elements of bankruptcy, tax, corporations, property and even criminal laws. Her research included "a lot of Tennessee corporation law," Concentrated Animal Feeding Operations and the Clean Water Act. She also warned that the Rule Against Perpetuities is not as anachronistic as survivors of first year property classes might hope.

"It seemed like everything I worked on," Scott said, "lead to some different area of law that was unexpected...."

A lot of the projects that I worked on were originally based on environmental law, but the determining issue was usually something completely different—which was both fun and frustrating at times."

Scott not only worked with a broad range of laws, but she also collaborated with several different attorneys—benefiting from their experiences while they benefited from hers.

Scott summarized her favorite aspect of the position, "Getting to work on several different projects with several attorneys and having my opinion/ideas given as much consideration as a 'real' employee."

"I was also allowed to sit in on both client and opposing party meetings," Scott said, "which was interesting to get

"I'd say there is a greater focus on following science," Schwartz said, "and sort of a renewed effort to address some problems that have seemed intractable—figuring out how to deal with climate change, how to better address storm water and agriculture-related pollution, nutrient pollution of waters and coal mining impacts. It's still early in the administration so policies in these areas are still emerging."

Paul Schwartz and Sarah Scott's experiences help to personalize the EPA. Their comments may not prevent many from losing faith in the great governmental machine, but they help to humanize the agency.

The full interview with Paul Schwartz can be found online at [www.law.gsu.edu/thedocket](http://www.law.gsu.edu/thedocket).

Jane Stebbins is interested in land use and environmental law. When she is not frantically pounding knowledge or writing incisive prose, she can be seen rocking the bass with her band, The Jane and Scott Show. Jane is Managing Editor and a featured blogger for The Docket. Her other blog can be found at [www.js-show.com](http://www.js-show.com).



THE DOCKET

The Student Voice of the Georgia State University College of Law

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At that point, the student with the fewer hours would immediately log into the registration system and “pick up” that dropped class.

In its current version, the GSU registration software contains three critical flaws which permit students to engage in this activity.

According to Sobelson, the system should do three things it currently does not: 1) prevent someone from registering for classes when they have not met the prerequisites, 2) prevent people from retaking courses and 3) allow only those on a waiting list to register for a recently dropped class spot (in its current form, any student could sign up for an open spot). Had these safeguards been in place, the class registration controversy in question would not have occurred.

Solving these technological limitations is difficult because the College of Law is tied to the registration software of the University and cannot acquire better software on its own. Even so, Sobelson noted, “the first two problems have since been solved.” The Dean and Registrar are currently solving the third issue using manual methods.

Some students feel that amending the Honor Code might circumvent the shortcomings in technology and provide

stronger notice against future “class reserving” practices. The Dean was less receptive to this solution, saying, “It would be difficult to draft a revision without it being overbroad...we only want to restrict a specific type of registration activity.” Additionally, Sobelson believes the Code’s “pre-professional misconduct” provision already encompasses the activity in question.

Although “The system was designed to ensure everyone had an equal chance at registering for a class.”

raises issues off fair play and ethics.

On the other hand, other students say that any punishment for doing something not specifically prohibited by the Honor Code would be improper because those involved had no notice that their actions were punishable.

After discussing the matter with numerous students, it became clear that student reaction to the practice of “class reserving” largely broke along lines of graduating class.

Because the practice has no effect on 3Ls ability to register for their desired classes and 1Ls have their schedule’s set for them, the 2Ls were predictably the most vocally opposed group of students.

One second year student, who wished to remain anonymous, said, “There’s a reason the registration system is so regulated. The system was designed to ensure everyone had an equal chance at registering for a class. [Those involved] circumvented the system and...because some professors give out higher grades than others, not getting into a particular class definitely can affect your grades.”

On the other hand, those indifferent to the practice of “class reserving” point out that there is nothing specifically stated in the Honor Code preventing students from working with an upper-class friend to

get a particular course. Moreover, many students did the same thing when they were undergraduates without consequence and any punishment would be improper because there was no notice of any wrongdoing.

Sobelson is not persuaded by the “notice” argument. He reasons that the argument that “by virtue of not being mentioned in the honor code means [the practice] is allowed” doesn’t stand up in light of the structure of the Honor Code. In addition, the section on pre-professional misconduct, a catch-all provisions stating, “basically anything inconsistent with being trustworthy is in violation of code,” provided sufficient notice. The Dean

argues that these students “must have known” their actions were not indicative of trustworthiness.

Despite that, the Dean said everyone he spoke to was “open and honest” and even volunteered their punishment: being withdrawn from those “reserved” courses. The Dean dispelled any rumor of an individual “mastermind” behind “class reserving,” although he believed many more individuals were involved than he is aware of.

According to Sobelson, the lesson gleaned from the controversy is that “if there is a problem, it is beneficial to bring it to [the Deans’] attention—we cannot fix problems we are unaware of.”

Andrew Hagenbush received a degree in industrial engineering from Georgia Tech. He is the News Editor of the Docket, Vice President of the Environmental Law Society and a member of Student Trial Lawyers Association, Sports & Entertainment Law Society and the Oglethorpe Society.



## Better Know a Legal Profession: Employment Law

### An Interview with Tony Ventry of King & Spalding

By Janet Hardman, 2L

To some, their job is just the place they go everyday in between the “real” parts of their life. For others, work is their passion. For most of us in law school (at least lately), a job is anything that pays us. But for employment lawyers, the workplace is fraught with legal issues and is fertile breeding grounds for lawsuits.

Regardless of where you are on this spectrum, work is one of the common denominators in human experience. Until people stop needing jobs, employment law will continue to be a thriving and relevant practice.

To find out more about what to expect from a career in employment law, I spoke with Georgia State University College of Law graduate Tony Ventry. Ventry is now an associate at King & Spalding, specializing in labor and employment law.

#### Why employment law?

Employment cases typically present an extensive sampling of factual situations and legal questions. Not surprisingly, day-to-day practice is likewise varied. Ventry explains that employment practice affords associates the opportunity to get hands on experience with all phases of the litigation process: from working on the EEOC charge, to drafting a complaint or answer, working on discovery requests and responses, drafting dispositive motions and even taking depositions, participating in mediation or arguing a motion at a hearing. Although cases are often resolved through settlement or at summary judgment, trial opportunities do arise.

Employment associates’ workloads may also involve counseling employers, reviewing employment manuals or drafting employment-specific contracts, like non-compete or severance agreements. Ventry elaborates that other commercial matters usually have several associates working on each case, but employment groups are usually smaller and their cases

are typically staffed lower, when compared to other practice areas.

Therefore, he says, employment associates have great opportunities to get in-depth, qualitative experience on each case, including taking ownership of both the legal issues and the client-management aspects. “There is a lot of direct work with clients. Often the associate is the client’s primary contact at the firm with respect to a specific matter,” Ventry says.

#### I got a job! But it is not in employment law. Now what?

Because employment sections in firms that do not exclusively handle employment matters tend to be relatively smaller compared to other practice groups, there are not always going to be openings where you work. If your job is at such a firm, Ventry advises making it known that you are particularly interested in employment law.

He says a smart move can be to introduce yourself to the partners and let those specializing in employment law know of your interest. Volunteering to write or research for one of their articles is a simple way to stay on your targeted partners’ radars.

Regardless of your area of specialty, Ventry stresses the importance of finding the right mentor.

Ventry stated that though GSU College of Law has a great reputation in the area for producing lawyers who adapt to practice quickly, careers in law are still very much an “apprentice-type system.” Finding someone whose judgment you trust to show you the ropes is invaluable.

Janet Hardman is interested in employment law. She enjoys her work as President of the Labor and Employment Law Society and with Jennifer Ann’s Group. Contact Janet at janethardman99@gmail.com.



SECURITY continued from Page 1.

The new service was spurred by student concerns voiced at a Dean’s Forum late last semester regarding the long waits experienced by those seeking the safety escort service. Other students complained that it was inconvenient because the police balked at calling the students on their cell phones as they approached so that the student could meet them outside the building without having to wait outside the entire time.

“While the original safety escort service has been around for years,” explained Sobelson, who initiated the new program alongside Police Chief Connie Sampson, “students don’t use it as much as they should, and I would always prefer our students use an escort when leaving the building after dark instead of walking out by themselves.

“The reason I asked for this specific arrangement is that students have complained that the police have at times taken as long as an hour to arrive or asked students to stand outside and wait,” Sobelson added. “Too many students have neglected to use the service due to second-hand information regarding the long waits, but we encourage students to call, and that they insist on waiting inside and have the police call them on their cell phone when they are about to arrive.”

Sergeant Perkins acknowledged that there will sometimes be delays between requests for escorts and their arrival, as the two vans service a campus of 30,000 students, but noted that the program’s monitoring system shows that they have a typically strong response time.

“When there is a delay, we have police officers assist the safety escorts by also providing students with an escort, so long as they are available,” Perkins said. “Patience is key; if you feel you need an escort, don’t carry on alone instead of waiting. Sometimes you may have to wait for 5 or 10 minutes, but you can watch for the officer inside; you don’t have to wait outside for the escort.”

Sobelson also encourages students using university services to contact him or Dean Kelly Timmons with feedback on the good and the bad aspects of the programs.

“Since other faculty members and I don’t use many of these services, we would rather rely on students’ input than that which is supplied by the university when determining how to best serve our students,” he noted. “It helps when students contact us with reports of positive or negative experiences.”

While the on-call officer will be able to aid students exiting night classes, which end at 8:45 p.m., as well as the many stragglers exiting their law school fox holes after dark, Sergeant Perkins encourages all students, male or female, to utilize the service whenever they feel they need it.

“The best way for students to ensure their safety is to always be conscious of their environment,” Perkins said. “Students need to use the escort service, and always walk in groups of two or more. Don’t take a short cut down a back alley or service thoroughfare just to save two minutes; stay in well-lit areas. You can program the emergency number, (404) 413-2100, into your phone.”

While males are typically resistant to accepting assistance in getting across campus, Perkins pointed out that, statistically, men are victims of more crimes, so they shouldn’t hesitate to call a safety escort if they are heading out of the Urban Life building late at night.

With the existing Escort Vans and new on-call officer, the university and GSU police department are working to prevent any further thefts or assaults against students on campus. By utilizing the services and exiting the building in groups, students can play a part in ensuring safe travels to and from the College of Law.

Kevin Jeselnik is a graduate of the University of Georgia with a degree in Journalism and spent his time between college and law school as an editor of various trade publications covering the commercial real estate industry. Kevin is the Associate Editor of The Docket.





# Solo practice a viable option for GSU law school graduates

By Beth Bachman, 2L

On November 11, 2009, Michael Manely, founder of The Manely Firm and husband of Shelia Manely, 1L, came to campus to talk to the *Be Your Own Boss Network* (BYOB), a new student group for aspiring solo practitioners, about his 20-year experience running a small family law firm here in Atlanta.

Manely provided BYOB students with lots of great advice and encouragement, as demonstrated in the following excerpts from his talk: "Truly, I don't have one boss. I do probably have about 200 bosses at any given time—all my clients—and sometimes those relationships go well... sometimes they don't. And when they don't, we sever our relationship. But how much easier [is] it, in the economic scheme, to have your relationship severed with five bosses out of 200, rather than one boss, which is the entire economic outlook that you've got?"

Manely is a perfect role model for the members of BYOB, because he understands that not every law student fits the traditional "Big Firm" mold. Some students, such

as myself, have worked in large law firms before and were not overly impressed. Other students simply do not yet understand what life at a big law firm is really like. First-year law associates are commonly required to bill a minimum of 2000 hours a year. If you're lucky enough to be getting paid \$100,000 year, that translates to only \$50 an hour. If you want to actually have weekends off and all the usual holidays, you will have to bill at least 9.5 hours a day just to meet your minimum quota.

Manely sees another impact of such long office hours: "It is very difficult to have a relationship with anyone besides the associates down the hall from you. So, people who wanted to start a family, and actually know who their children were, know their names as they were growing up...they would model their lives by being their own boss...."

Of all of Georgia's law schools, GSU graduates are perhaps the best situated to start their own law practices. Our tuition is one of the lowest in the country, sparing us from the relatively crushing debt of our

colleagues and the pressure to pay of those large debts with a big firm job. With many recent advancements in technology, it does not cost much to run a small firm these days.

As Manely notes: "You need two things to run a law practice: one is your suit and the other is a laptop. That's it! You can have things mailed to your house if you don't want a [Post Office] box. But if you want to start bare-bones, you start there.... I went out and I borrowed \$4000 from a relative of mine to be able to cover the cost of letterhead and that sort of thing.... I opened my office with a P.O. box. I met people at Waffle House. And believe it or not, criminal law clients really loved that."

One expense that tends to scare students away from solo practice is the idea of malpractice insurance. Students might not be aware that attorneys in Georgia are

not required to carry malpractice insurance. Manely offers his opinion on this: "I don't think when you're starting out it makes any sense to purchase malpractice insurance.... I think

that's another thing the insurance companies are doing to scare us up. I don't know anybody who has been sued for malpractice.... You want to invest some money? Invest it in a time management software program.... What the bar will tell you is that almost every complaint that they get has to do with client communications.... [T]hat's the one area the bar will come after you for, and a time management program will take care of that."

Another misconception that law students have about the business of running a firm concerns advertising. State American Bar Association guidelines restrict certain forms of advertising, and traditionally, law firms do not advertise, so what *can* we do to get our name out there and build our clientele? Shelia Manely, who manages the firm's marketing campaign, assures us that times have changed: "Attorneys don't have the luxury of not advertising.... It's not beneath us to advertise.... With the internet...even through YouTube, Facebook and blogging, there are lots of ways that you can inexpensively begin to get your name out there.... [T]he first

year that we put an advertising plan in place, [we] more than doubled our case-load."

When asked which classes he took at GSU that helped him prepare for solo practice, Manely's answer is quick and concise: "Evidence and Advanced Evidence. [Professor] Paul Milich is one of my heroes."

To learn more about starting your own solo practice, please contact the *Be Your Own Boss Network* at gsubyob@gmail.com.

Beth Bachman is President and Co-Founder of the *Be Your Own Boss Network* and Vice President of Sports & Entertainment Law Society. She also owns a music marketing company and plans to start her own entertainment law firm.



To give you an idea of what our graduates do and how much they typically earn, here is a snapshot of our Class of 2008.

Graduates Employed Within Nine Months: 95%

TYPE OF EMPLOYER Employment Area	Number (% of 177)
• <b>FIRMS</b>	
Small Firm (2-25)	55 (31.07%)
Medium Firm (26-50)	4 (2.26%)
Large Firm (over 50)	33 (18.64%)
	<b>92 (51.97%)</b>
• <b>OTHER NON-LEGAL</b>	
Academia (Higher & Secondary Education)	6 (3.39%)
Self-employed (business)	3 (1.69%)
Corporation (non-legal)	11 (6.21%)
Consulting	6 (3.39%)
	<b>26 (14.68%)</b>
• <b>P.I.</b>	
Public Interest (Legal Aid)	2 (1.13%)
Public Interest (Non-Profit)	8 (4.52%)
Public Interest (Public Defender)	8 (4.52%)
	<b>18 (10.17%)</b>
• <b>PROSECUTION</b>	
Prosecution Local (D.A.)	5 (2.82%)
Prosecution Local (Solicitor)	5 (2.82%)
Prosecution (State)	1 (0.56%)
	<b>11 (6.2%)</b>
• <b>CLERK</b>	
Judicial Clerkships (Federal)	4 (2.26%)
Judicial Clerkships (State)	6 (3.39%)
	<b>10 (5.65%)</b>
• <b>OTHER LEGAL</b>	
Corporation (legal)	8 (4.52%)
• <b>GOVT</b>	
Federal Administrative Agency	4 (2.26%)
State Administrative Agency	3 (1.69%)
Military	2 (1.12%)
	<b>9 (5.07%)</b>
• <b>SOLO</b>	
Self-employment (solo practice)	3 (1.69%)
<b>TOTAL</b>	<b>177 (100%)</b>

## Spell Check vs. law students: Microsoft's attack on our right to freely associate...words

By M. Christian Clark, 1L

For countless law students, Spell Check and AutoCorrect functions are not only a hassle, but destructive. Students are forced to either cope or turn off the two functions. I decided to use Spell Check my first semester.

After a complete install of Windows 7, I realized that Word and One Note had only the default dictionary lists for the Spell Checker. All of the exceptions and words I added had vanished, leaving my notes and writings peppered with jagged, red lines.

Determined to find a solution, I scoured the Internet and Microsoft's labyrinthine web site. I found that the Internet, with its seemingly infinite information, has no site with a custom dictionary for law students. So, for others like me, the following steps are a simple solution to end the struggle with Office's proofing functions.

How Spell Check operates is simple. Office checks a built-in dictionary and flags any unlisted words. AutoCorrect may

make changes automatically to commonly mistyped words. AutoCorrect also capitalizes words after a period unless an exception is added. This can be a major hassle with abbreviations and legal terms, especially Latin phrases.

Changes made to most proofing options in Word, apply to all other Office programs.

In modern versions of Word, there is a custom dictionary option. You have likely used this by right clicking a misspelled word and selecting "Add to Dictionary." This option adds an exception to Office's Spell Check.

If using Word 2003 or earlier, click on Tools, Options and then Spelling & Grammar. In Word 2007, simply click the Office logo at the top left, Word Options at the bottom and the Proofing tab on the left. All versions have this proofing menu, with minor variations. AutoCorrect and other spelling functions can be changed from within this menu as well.

To change Spell Check, click "Custom Dictionaries" from within the proofing

menu. This opens the "Dictionary List", which contains all the custom dictionaries Office uses for Spell Check. The document listed as "custom.dic" contains any words you may have added to the dictionary. "\*.dic" is the file extension (type) used for Office dictionaries. By highlighting "custom.dic" and clicking "edit word list" users can view any words added and also manually add words one-by-one. This is cumbersome, though, and not recommended.

The best method is to download or create a new dictionary list file and add it to the menu. Simply click add and then select the file of your choice. Googling the words "list legal terms" will generate sites with lists ranging from specific to broad.

Wikipedia has two lists that I used to create a dictionary file of 3800 legal words/terms and a file with over 350 Latin terms. The files are posted online at gsu.edu/thedocket and can be used by following the steps above. Once added, users can check, uncheck or remove a dictionary. The check box in the proofing menu

"suggest from main dictionary only" must be unchecked to use custom dictionaries.

Another issue students have is the AutoFormat function and Styles options of Word. This affects any bullet/multi-level lists for outlines created by a user.

AutoCorrect options can be changed by clicking on the "AutoCorrect" button in the proofing menu. From this menu you can add exceptions for text replacement and auto capitalization after a period.

Unfortunately, I am unaware of any way to save an exceptions or text replacement list: The "AutoFormat As You Type" and "AutoFormat" tabs have several options that affect bulleted lists. Users can simply uncheck any bothersome options. Options checked in the Styles menu may also effect Word's reaction to hitting enter.

For more information, Google "Word [year] styles tutorial."

Christian studied Political Science at the University of Georgia where he met his wife, Olya. While working for Wachovia, he earned an MBA from Piedmont College.



# Point Counterpoint: The Registration Controversy

The issue of "class reserving" has created quite a stir amongst students and the administration alike. Drew Crecente and Patrick Lee discuss the various points of contention below. For an in-depth analysis of what actually occurred, please see Andrew Hagenbush's coverstory on the front page.

## The Honor Code: Fooling others or fooling ourselves?

By Drew Crecente, 2L

This incident has been labeled as trivial, as exploiting a "loophole," and even as a non-violation. These arguments are incorrect and I address them in turn.

While this issue may be trivial for some students, it ignores the effect on others. Our ability to recognize the impact of our actions is necessary not just as law students but as members of a society. It is important to recognize that these improper actions have adversely affected students.

Our law school was recently recognized for its outstanding part-time program. Part of the success in this area is the ability to accommodate the schedules of such working students. If a necessary time slot was taken through the dishonest acts of fellow students, those with time conflicts are adversely affected. These students are forced to adjust their work schedules and do not see this as a trivial issue.

The adjunct professors teaching litigation have a variety of backgrounds that are clearly important to their prospective students—so important that the school provided a webpage providing such details. A student interested in Entertainment Law may want to enroll in the section taught by Monica Emmons Ewing, a "top entertainment attorney." Unfortunately for such students, this section had more than half of its positions filled before enrollment even began for the 2Ls. Students that missed out on their *only* opportunity to take litigation from an instructor with entertainment law experience likely do not see this as a trivial issue.

Other students have positioned this incident as a utilized "loophole." Those students should re-evaluate their understanding of the term loophole. A loophole, at its core, requires an ambiguity or omission which is then circumvented in some manner. Without the ambiguity or omission, the loophole does not exist and there is no ambiguity or omission in the Honor Code with respect to this issue. A loophole is *not* a technical work-around, it is *not* a system error, and it is *not* an act of malfeasance.

This leads us to the most common argument: the Code does not preclude this behavior. The Code, like the law we uphold, does not speak to every eventuality, nor should it be expected to. As law students, our ability to derive specific rules from general guidelines is a foundational requirement. Certainly, by at least the third-year, a law student shouldn't be expecting all rules to be "bright-line laws."

The Honor Code, in section 4(b)(1), recognizes that it cannot speak to every bad act ever imagined when it attempts to provide examples of violative behavior, including "[b]y way of illustration only and not by way of limitation, the following are examples of conduct which constitutes cheating..." Furthermore, section

4(a) of the Code states that "[i]t shall be a violation of the Code for any student to obtain or seek to obtain an unfair academic advantage for himself or herself or any other student." Reserving a litigation section to the detriment of other similarly interested students is clearly taking an academic advantage over other students.

For those that are either too stubborn or obtuse to recognize these sections as illustrative, there is even a "catch-all" provision in the Code: section 6 states that "[i]t shall be a violation of the Code for any student to engage in any conduct in connection with any activities of the College of Law which raises a substantial question as to that student's honesty, trustworthiness or moral fitness to practice law or become a member of the legal profession..." [emphasis added].

As unfortunate as this situation has been, the subsequent conversations have been even more unfortunate. Those who insist that no wrong has occurred due to lack of the sufficient "*mens rea*" ignore that ignorance is both implicitly and explicitly not an excuse. Those who fault the inadequacy of the Code demonstrate their inability to parse rules and regulations properly—that very skill set that is one of the most important for an attorney to possess.

I am hopeful that the administration does not modify the Code as the result of this incident. To do so would reflect a lack of faith in the student body, a lack of our ability to align our own moral compasses properly and a lack of our core capability—as future attorneys—to properly understand and respect the relationship between the "letter" and the "spirit" of the law.

Drew Crecente is the executive director of "Jennifer Ann's Group," a nonprofit charity dedicated to prevention of teen dating violence; and co-founder of the Legal Society of Intimate Violence Education (L.I.V.E.), a new organization at GSU focused on integrating "domestic violence" education into Law schools.



## These students have been punished enough

By Patrick Lee, 2L

I remember when I first heard about 3Ls saving seats for 2Ls. I won't lie to you—I thought it was pretty sneaky. Uncool even. Word quickly spread and left many a student feeling cheated, believing an unfair advantage of the process had been taken at their expense.

However, I did not share the outrage and sense of betrayal many of my peers felt at the news. To be sure, they were correct to be alarmed; reserving seats in this manner gave undue benefit to the scheme's participants. But charging these students with an honor code violation goes too far by retroactively applying a newly established rule. More important-

ly, the stigma such a charge carries proscribes too strict a punishment, disproportionate to the offense.

It is true that all too often being enrolled in a certain coveted class has the ability to make or break our ideal schedule. This makes the nerve-racking moments before our allotted registration time serious business. As such, it should come as no surprise that such a vocal outcry formed over a controversy concerning the process. Looking back, I personally remember questioning whether these actions played any part in my eventual enrollment in a Saturday morning litigation class.

The eventual question concerning the proper consequences has proved divisive. There are those who believe the offenders directly violated Section 4(a) or 6 of the Honor Code and others who believe no punishment should come to pass the students involved. On one hand, we likely all can agree that undercutting the entire student body for the gain of a few is nothing shy of dirty pool which merits the proper measures to prevent reoccurrence in the future. On the other, holding a seat for a student (one that could who have very well been a working part-time student or other schedule sensitive demographic) is not really all that probative of the sort of untrustworthiness that accompanies actions such as hiding a book or talking about an exam too early.

The latter acts are the sort of unfair academic advantages which Section 4(a) of the Honor Code prohibits. Academic advantage refers to actions which result in a student receiving an ill-gotten benefit regarding the final grade issued in a course. When properly characterized, the conduct at issue was not academically dishonest. Rather it was merely a crafty manipulation of a system that has been in place for years.

These competitive 'cut-throat' measures, reprehension notwithstanding, are not uncommon to the law school experience. Couple this fact with our conditioning to take advantage of every legitimate competitive edge and this conduct becomes less a demonstration of dishonest tendency and more of just another example of students striding the line.

Section 6 of the Honor Code is used to review conduct which does not specifically violate any other section of the Code. It states that for a finding of "Pre-

Professional Misconduct" a student must engage in activities which raise "a substantial question as to that student's honesty, trustworthiness, or moral fitness to practice law or become a member of the legal profession" [emphasis added]. To dispel rumors once and for all, there was no financial element in connection with the seat holding. The offenders were just trying to lend what they thought would be a helping hand to their friends. While this conduct may seem repugnant in hindsight, do not forget how simple and consequence-free a decision can look during the semester.

For instance, some students were aware that the GoSolar clock was two minutes faster than the official U.S. time, allowing those students a two-minute buffer over those who were unaware of this fact. At the time, no one broadcasted this news. Was that also Pre-Professional Misconduct? The point is the Honor Code, like many codes we study, is filled with ambiguous wording. Moral fitness may not mean the same thing to all. That is why a proportional punishment is key.

I was satisfied by the prompt and stern reaction taken by our administration. The responsive email sent to the entire student body made clear their discontent with the conduct as did the candid discussion in group forums. There is no doubt that this sort of conduct will not be tolerated in the future. As such, further punishment would serve no purpose other than vengeance.

We have all learned a lesson from this and if any doubt existed before it has since been effectively removed. Would incidents of reoccurrence be practically reduced at all if news spread that those involved will now be explaining their actions to the bar fitness board? Not bloody likely. The message has already been sent loud and clear that this conduct will not be tolerated and I would be legitimately surprised if anyone attempts anything like this again.

Those who remain unsatisfied should take solace in knowing that the offenders did not just get off scot-free. Dean Sobelson's email indicated their ideal class schedule was dropped which forced them to start the registration process anew after the rest of the student body had its turn. There has also been an informal naming-and-shaming of sorts led by those most offended. This has may lead to a loss of goodwill these students previously enjoyed. Reserving seats was admittedly unfair but not an Honor Code violation it was not. To charge these students with such would be a worse offense than anything they possibly did to us.

Patrick Lee has a political science degree from Georgia State University and is a graduate research assistant at the GSU College of Law Low-Income Taxpayer Clinic.



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# LIGHTS, CAMERA, AUCTION!

## WHAT IS THE PILA AUCTION?

The Public Interest Law Association is a student organization that seeks to promote the goals of public interest law. Public Interest Law is a broad field covering various types of work that aid the public or community at large. Typically, such positions serve those members of society whose rights go unprotected because of economic disparity, lack of education or some form of prejudice.

The PILA Auction is a high-class event attracting more than 500 attendees, including members of the Atlanta public interest legal community, students, faculty, staff, and alumni. The auction raises funds to assist selected students who undertake unpaid summer internships at public interest organizations. Last year, through the Auction, PILA awarded six, full-time fellowships of \$3,000 to students working in varying placements.

The auction includes dinner and drinks, which begin at 7:00 p.m. Accompaniment will be provided by the Atlanta Musicians' Orchestra. The Silent Auction will continue until 9:30 p.m., featuring such items as tickets to the High Museum, a digital camera, and dinner with select professors. The Live Auction will open just after 9:30 p.m. for bidding on the top twenty items, including vacation packages, BarBri, and a custom made suit. Also, look out for surprise performances by your favorite professors!

PILA would be honored by your presence at the event! Tickets go on sale beginning Tuesday, January 19 in the Urban Life Building lobby or on our web site, [www.law.gsu.edu/pila/auction.php](http://www.law.gsu.edu/pila/auction.php).

We are currently accepting both financial and item donations for the silent and live auctions.

Please consider posting a financial donation to our account at [www.law.gsu.edu/pila/auction.php](http://www.law.gsu.edu/pila/auction.php) or contact Nicole Motter, our PILA Donations Chair, at [nicole.motter@gmail.com](mailto:nicole.motter@gmail.com).

THE PUBLIC INTEREST LAW ASSOCIATION  
at GSU's College of Law  
PRESENTS...

THE 18th ANNUAL PILA AUCTION



o At the Atlanta Freight Depot

o February 20th, 2010 at 7p.m.

o Dress is black tie optional

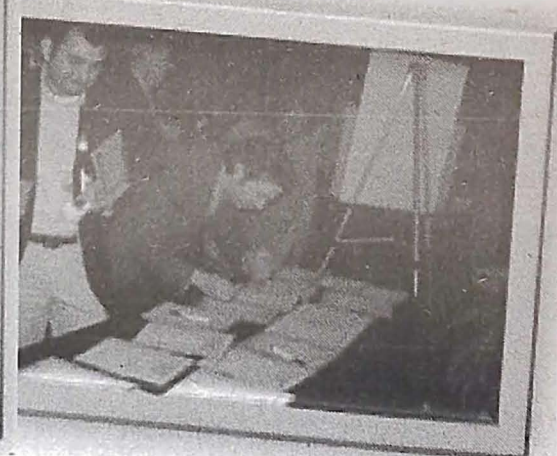
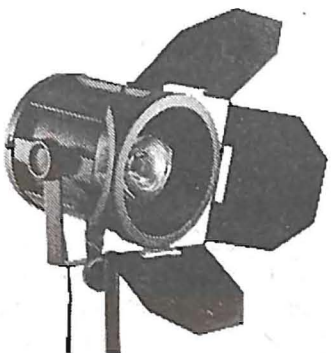
Ticket sales begin Tuesday, January 19

**Early Bird Special: First 100 tickets  
\$25 for students and faculty.  
All tickets \$30 thereafter.**

**STAY TUNED FOR  
UPCOMING AUCTION EVENTS!**

## 2009 PILA FELLOWSHIP RECIPIENTS

- Eric Coffelt** – Office of the Georgia Capital Defender
- Olga Dashevskaya** – Health Law Partnership
- Jennifer Ivey** – US Department of Health and Human Services, Office of General Counsel
- Crystal Genteman** – Pro Bono Partnership of Atlanta
- Melissa K. Rice** – Bridges Across Borders Southeast Asia, Chiang Mai, Thailand, and Care International, Vientiane, Laos
- Brenda Smeeton** – Federal Defender Program





Jennifer Ann’s Group: Bringing awareness to teen dating violence

By Madeleine Peake, 2L

Whether you are a 1L, 2L or 3L, you have likely encountered a case involving domestic violence. It may have been in torts when you studied assault and battery, in criminal law when you discussed punishment, or in family law when you learned about the crime itself.

If reading about domestic violence in class was your first time learning about the crime, consider yourself lucky. The U.S. Department of Justice reported in 2001 that approximately 4.8 million intimate partner rapes and physical assaults are perpetrated against women annually. More likely than not, you know someone (whether personally, or through a friend) who has been a victim.

Drew Crecente, a Georgia State University 2L, is the founder and executive director of Jennifer Ann’s Group, a nonprofit charity dedicated to stopping teen dating violence.

“Abusers at the age of 15 will likely be abusers at the age of 35 if nothing is done to educate them or their partners about the effect of their behavior,” Crecente said.

Not only does intimate partner violence affect teens and adults, it also affects children. The U.S. Advisory Board on Child Abuse and Neglect reports that 50 percent of men who regularly assault their wives, also assault their children.

By increasing awareness and education about teen dating violence, Jennifer Ann’s Group is helping teenagers identify abusive relationships as early as possible.

Crecente states, “By working with schools, churches, police, hospitals and other organizations we can help teens (and “tweens”) identify and exemplify healthy relation-

ships.”

He said their goal is for this information to become as commonplace as knowing to look both ways before crossing the street.

In order to stop the domestic violence we read about in our casebooks, we must address intimate partner violence at an early age. You can help by volunteering with Jennifer Ann’s Group.

Making a difference can be as simple as joining Jennifer Ann’s Group on Facebook and/or following them on Twitter.

“Those that have limited time and a difficult schedule . . . can help us out tremendously online,” Crecente said. “Through our online presence we can always use people that can locate current stories related to [teen dating violence], post them, comment on them and spread the word about how common and tragic these stories can be, both on our Facebook page as well as through our online forum.”


National Teen Dating Violence Awareness Week is the first week of February. By becoming a member of Jennifer Ann’s Group on Facebook, you will have the opportunity that week to change your profile image to one that Jennifer Ann’s Group supplies and become eligible to win an Amazon gift certificate.

Take a stand to stop teen dating violence and intimate partner violence by volunteering with Jennifer Ann’s Group today!

For more information, go to [jenniferann.org](http://jenniferann.org).

Ten Warning Signs of an Abusive Relationship

- History of legal or discipline problems.
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- Tells you what to wear, what to do or how to act.
- Threatens or intimidates you in order to get their way.
- Prevents you from spending time with your friends or family.

Life. Love. 

(TM) "Jennifer Ann's Group" © The Jennifer Ann Crecente Memorial Group, Inc. JenniferAnn.org

JenniferAnn.org

Could you be in an abusive relationship? Create a Safety Plan!

- Talk to someone that you can trust.
- Plan in advance to have a safe place to go.
- Keep money and your cell phone or calling card with you at all times.
- Establish a code word or sign so family, friends and co-workers know when to call for help.

1-866-331-9474  
1-866-331-8453 (TTY for deaf/hearing impaired)  
National Teen Dating Abuse Helpline  
Se Habla Español

For more information please visit us at [www.JenniferAnn.org](http://www.JenniferAnn.org) v.08.07

Madeleine Peake maintains the Pro Bono Page and the Pro Bono Calendar.



Pro Bono Calendar

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Pro Bono Calendar  
February

S	M	T	W	T	F	S
	1 National Teen Dating Violence Awareness Week begins (ends Feb. 6)	2	3 6 p.m. to 8:30 p.m. Atlanta Community Food Bank Sort, inspect and pack donated food, beverages and health products.	4	5 7 p.m. to 10:30 p.m. Children's Healthcare of Atlanta Attend "Taste of Dunwoody."	6 10:30 a.m. to 12:30 p.m. East Atlanta Kids Club Tutor and/or play games, lead art and educational projects, and get to know kids from ages 7-13.
7	8	9	10 6:30 p.m. to 8 p.m. Buckhead Health & Rehabilitation Play BINGO and socialize with seniors.	11	12 3 p.m. to 5 p.m. Atlanta Children's Shelter Sort and organize donations.	13 9:45 a.m. to Noon Gideons Elementary Volunteers are needed to help tutor first and second graders with their reading and math skills.
14 Volunteer Tip: Make homemade valentines and deliver them to your local hospital or nursing home!	15	16	17	18 6:30 p.m. to 7:30 p.m. East Atlanta Kids Club Become part of a one-on-one mentoring program that allows an adult to get to know a particular child.	19 3 p.m. to 5 p.m. Atlanta Children's Shelter Sort and organize donations.	20 2 p.m. Children's Miracle Network and Children's Healthcare of Atlanta Volunteer or attend "Dance Marathon" at Georgia Tech.  7 p.m. to 11 p.m. PILA Auction
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## State of the Student Bar Association

By David Purvis, 3L

Welcome back for another semester – for the 3Ls, the last semester of law school! As a 3L, I can tell you that the last three years have flown by. One of the best ways to make the most of your time at the College of Law is to attend the various social events put on throughout the year, and the Spring Semester is full of events. A couple of weeks into this semester, the Student Bar Association (SBA) will host a “Welcome Back” party, so be on the lookout for specific details on this event coming soon. On February 20, PILA puts on its annual auction, one of the premier events of the school year.

Later in the spring, the SBA and various other student organizations will host a spring picnic for you and your families. And finally, there is Law Week – probably the best single week of the year. This year, Law Week will be April 5-9, culminating in the event of the year: Barrister’s Ball on April 10. Beyond these big events, the law school’s many student organizations will continue to provide educational and fun programming throughout the semester. Please make sure to check the events calendar on a regular basis for dates and times.

I would like to take a moment and welcome our newest official student organization, the Labor and Employment Law Society, which became official with the University during the Fall Semester and has hit the ground running. If you are interested in the Labor and Employment Law field or are just curious about this new group, please get in touch with Janet Hardman, Lindsey Harrison, or Robert Bexley, or e-mail the group at [gsulels@gmail.com](mailto:gsulels@gmail.com).

And remember, the Student Bar Association is here to represent you! We meet every other week and our meetings are open to the student body (meeting times are on the College of Law events calendar and the SBA website). Do not hesitate to contact your representatives or e-mail us at [gsu.sba@gmail.com](mailto:gsu.sba@gmail.com) with any issues you would like us to address. The SBA and all of our student organizations accomplish much more when you are involved and engaged during your time here at the College of Law.

David Purvis is the Student Bar Association President and is also a member of the Moot Court board. David is a 2001 graduate of Georgia State University, where he majored in History.



## Mimicking marriage rights with legal instruments

By Lindsey Harrison, 2L

There are over twelve million unmarried partners living together in the United States. Social trends indicate that this number will continue to increase. Couples choose to live together without getting married for a variety of reasons. Some plan eventually to tie the knot, others either do not want to marry or are unable to do so.

At the present time, same-sex couples can only legally marry in Connecticut, Iowa, Massachusetts, New Hampshire and Vermont. Thus, for attorneys who do not live in these states, it is becoming increasingly important to learn how to mimic the privileges and obligations associated with the marital relationship.

Last Fall, the Estate Planning and Wealth Management Society and OUTLaw cosponsored a presentation on replicating the benefits associated with marriage for those who either are incapable of being married under our current laws or who choose not to get married.

Some of the legal rights afforded to married couples include: the right to receive a property settlement and/or support in the event of divorce, the right to receive survivor’s benefits from Social Security and retirement plans, the right to file joint tax returns, the ability to obtain “family” insurance benefits, a spousal exemption from gift taxes and an automatic share in a deceased spouse’s estate in the event of his or her death without a will.

Michael Evans, an attorney at Baker, Donelson, Bearman, Caldwell & Berkowitz, discussed the process of imitating the marital relationship through private contracts. During his presentation, Evans discussed the tools utilized by attorneys in mimicking the marital relationship.

One important tool utilized by attorneys is a cohabitation or domestic partnership agreement. This is a private contractual agreement between cohabitants that seeks to establish the rights and obligations of the parties entering into it. Some critical elements of the agreement include the parties’ current financial status, the division of living expenses, which property is to be kept separate, the dissolution of joint property upon the ending of the relationship, and what constitutes the dissolution of the relationship.

In addition to the cohabitation agreement, Evans stressed the importance of having a will, granting an individual’s partner with a power of attorney, and creating an advance directive for healthcare.

Although a cohabitation agreement can create an obligation to create a will, it is not an effective substitute. By granting a power of attorney to one’s partner, the grantor or principal allows his partner (or any other individual) the authority to act on his or her behalf. It is important in creating this document to specify whether the power of attorney is durable or springing.

A durable power of attorney is effective immediately and allows the agent to act concurrently with the principal. In contrast, a springing power of attorney only grants power to the agent once the principal or grantor has become disabled.

Choosing the type of power of attorney is vital because, if neither is specified, the agent will only be empowered to act while the principal is capable of acting. This would prevent the power of attorney from being effective when the principal or grantor is incapacitated. Including an advance directive for health care or a living will is also essential. This document provides instructions specifying what actions should be taken when an individual is not able to make health care decisions due to incapacity or illness. Without this document an individual’s partner could be excluded from the health care decision making process.

Unfortunately, not all of the benefits associated with the marital relationship can be imitated via contract law. Cohabiting individuals do not qualify for a marital exemption on their taxes and many employers do not provide insurance benefits to unmarried partners of employees. However, many benefits are available and it is important, as attorneys, to know how to provide these privileges to individuals through contract law.

Lindsey Harrison graduated from the UGA in 2007 with a degree in Political Science. She is currently a member of the GSU Law

Review, the Vice-President and a founding member of the Labor and Employment Law Society, and is interning at the Department of Corrections legal office.

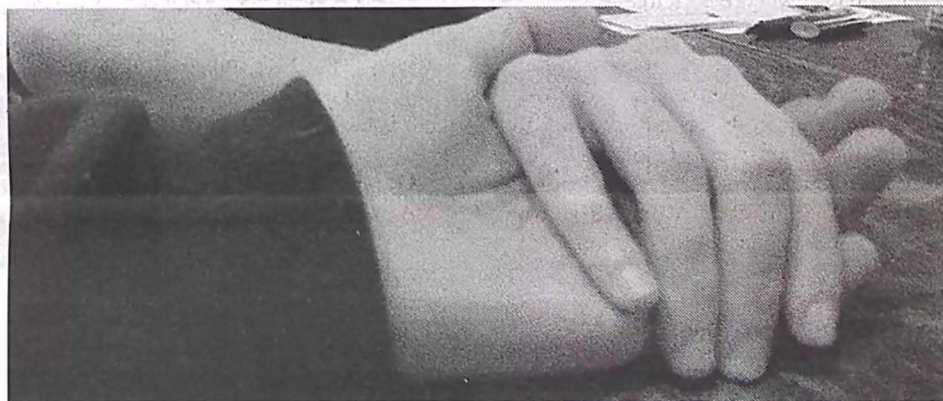


Photo by Alison Makins

## Law society stresses need for intimate violence education in curriculum

By Kristen Scalzitti, 2L

Last Fall, law students organized the Legal society of Intimate Violence Education (L.I.V.E.), a new student organization at GSU focusing on integrating domestic and intimate violence education and awareness into the study of Law.

In 1998, the U.S. Department of Justice Office on Violence Against Women released the first round of grant awards to support programs providing civil legal assistance to those who have been abused through “domestic violence” (DV). Although the funding provided the abused with greater access to legal aid, more work needs to be done to provide assistance in finding legal counsel that fully understands the complexities of abusive relationships and the difficult decisions faced by those affected.

Law schools have a unique opportunity to send a signal to the community that they recognize the importance of this issue while teaching future attorneys how to respond safely and effectively to an issue that has such a profound impact on all areas of the law. By incorporating much needed information about DV law and practice into their curricula, law schools can effectively use education to combat domestic violence.

In recognition of this role of law schools, the American Bar Association adopted an official policy in 2003 encouraging law schools to promote awareness of DV through law school activities and programs. Despite this resolution, professors

and students alike have shown resistance to DV education. Faculty members may fear mischaracterizing the subject because they may not feel knowledgeable enough about the issue to lecture upon it. For this reason, schools often hire adjunct professors to teach courses or seminars that are dedicated solely to the issue, further removing it from the required core curriculum.

Students may also feel uncomfortable addressing the issue due to stereotypes about victims of DV or due to a mistaken belief that it is a feminist issue or something that only arises in the context of family or criminal law. Yet DV affects virtually every area of the law. Lawyers who practice tort law, corporate law, property law, immigration law and tax law, for instance, all represent both the abused and the abusers of DV. Core curricula courses such as civil procedure, contracts, torts, criminal law, property, constitutional law, evidence and professional responsibility provide an excellent opportunity to teach law students about DV.

Seminars and courses are not the only opportunities to educate students about these important issues. Following the ABA’s encouragement to educate law students on DV issues, many schools have created DV Clinics. Students involved in these clinics benefit by learning the substantive law governing their cases while at the same time gaining valuable client interviewing skills that are often neglected in

today’s legal education. Clinical programs expose students to challenging situations, such as responding to a client who fails to appear at a temporary protective order hearing or determining whether it is ethical, safe, or mandatory to report a client who is perpetrating child abuse. At the same time these clinics benefit the community as a whole by providing survivors of abuse with legal assistance.

Integrating DV Issues into traditional legal education will not only prepare more competent attorneys, it will also provide concrete examples of how the law affects the lives of real people. Taking the time to understand how a complex and often uncomfortable issue fits into the community as a whole is the first step to eradicating its prevalence. A failure to integrate DV education into core curriculum may not only marginalize the issue, it may also marginalize the survivors.

Kristen Scalzitti is the co-founder of the Legal Society of Intimate Violence Education.

She also volunteers with the Domestic Violence Division of Atlanta Volunteer Lawyers Foundation at the Safe Families Office.





## Winter Soulstice brings the gift of music

Music and arts festival raises money to benefit children's education

By Robert Bexley, 2L

Downstairs at Smith's Olde Bar, artwork lines the walls, donated by local artists for a silent auction. While browsing the various drawings, paintings, photos and jewelry, bands provide a cool, relaxed atmosphere to mingle or simply chill on the comfy couches and chairs.

Upstairs, other local bands plug in and blast the audience's ears with raucous hard rock while artists paint live on the side of the stage.

Helming the ticket booth and hawking t-shirts is Beth Bachman, 2L, the event organizer.

In 2007, Bachman created Groovemuse, an Atlanta-based organization dedicated to bettering its community and the lives of those within it by encouraging the arts while providing opportunities for like-minded non-profits to raise funds and awareness. Every December, Groovemuse organizes Winter Soulstice, a live music concert and silent art auction to benefit local arts and music-related charities. Their beneficiary for the past two years has been WonderRoot.

WonderRoot is an Atlanta-based non-profit organization committed to uniting artists and the community to inspire positive social change. One of the organization's core programs is Creativity for Kids, a youth arts-enrichment program in which WonderRoot partners with community organizations and schools that serve low-income and at-risk youth to fill the void created by budget cuts to arts education.

Since the first Winter Soulstice in 2007, Bachman and fellow organizers, Skip Blankley and Johnny Marson, have raised over 8,500 dollars for Atlanta's local art and music communities.

This year proved to be the most suc-

cessful Winter Soulstice yet. Combining ticket sales, auctioned artwork, a raffle, and t-shirt and poster sales, the event pulled in more than 4,300 dollars, more than the prior two years combined.

In order to entice the exceptional turnout this year, organizers brought together a wide variety of entertainment and artists. The artwork included innovative jewelry by Angelyn Pass, watercolor paintings by Puja Chaudhari, and an assortment of framed photos and digitally manipulated images.

While the artwork enticed the eyes, the music was the star of this show. On the Main Stage upstairs, Asherel, a band of teen wunderkinds (whose friends could not even come see them play at the 21-and-over venue) showed the older rockers how to bring the noise. Not to be outdone, The Brotherland and Lost City gave especially memorable performances and knew how to play to the packed house.

For those in the mood for something a little more relaxed, the Atlanta Room downstairs showcased a variety of local folk and alternative musicians, including perennial favorites The Jane & Scott Show (featuring Jane Stebbins, 2L), and Zentropy, a groove-funk jam band, playing non-stop for half-an-hour.

Bachman and her co-organizers certainly made every effort to ensure there was entertainment available for everyone. Despite the economic recession, the Atlanta community showed its generosity by showing up in droves to bring art and music into the lives of local children through WonderRoot.

To learn more about WonderRoot or to make your own charitable donation, please visit [www.WonderRoot.org](http://www.WonderRoot.org).

## Sports and school: How students make it work

By Stephanie Stewart, 2L

With all of the pressures surrounding law school, it is amazing when students are able to enjoy extracurricular activities, especially when they are not academic in nature. Sports are just one example of the many types of activities that GSU students partake in as a way to take a break from school. However, sports are an especially interesting choice because sometimes they can be equally as demanding as school. A few outstanding students have agreed to share some insight into how they balance hectic law school life and the demands surrounding participating in competitive sports.

Sam Gunnison, 2L, who rode on the equestrian team at UGA and now rides for UGA as an alum. Sam said that she made the choice to continue participating in equestrian competitions during law school because horses are her life and she loves everything about the competition including "the thrill, the feeling of accomplishment, and the fun."

Of course these benefits do come at a price. For Sam, time management took a hit during her 1L year. Unfortunately (or fortunately depending on how you look at it), she qualified for the equestrian national championships which took place in Tennessee two days before her Torts final. While she tried to prepare for torts as

much as she could before the competition, the experience made her realize that in the future she wants to put her studies first and riding competitions second. She said that for this year she has already made changes to her priorities and plans to focus primarily on school and only ride on the weekends until graduation.

Despite the difficulties of balancing sports and school, both Sam and Gino Emanuels, 2L, (who plays flag football on a GSU intramural flag football team) agreed that being active is a way to keep themselves from going crazy during law school, and having non-scholastic goals puts things into perspective,

especially around exam time. Bob Quinn, 3L, plays on both flag football and basketball intramural teams. Quinn said that competing "helps contribute to the work-life balance." He agreed with Sam that school must take priority over competitive sports when deciding how to balance your time.

Sam also found that through the equestrian competition she has learned valuable skills and competitive strategies that have contributed to her success at law school. She discovered that the same visualization techniques used in horseback riding could be translated into moot court.



Sam Gunnison and Fallon, competing in Conyers.

## An interview with Robin Simpson of the 4th floor

By Eli Bennett, 2L

Every student has had to go up to the fourth floor for one reason or another. Whether it was getting an RWA paper time-stamped before the switch to online assignment drops, picking up a paper covered in red ink, or signing up for your jury slot during litigation mock trials, chances are you have come across Robin Simpson, the receptionist on the fourth floor of the Urban Life Building. Armed with hot chocolate, I asked if she would take a few minutes out of her very busy day to talk with *The Docket*.

**Q: Tell us what your role is here at GSU Law.**

**A:** You probably know me as the receptionist on the fourth floor. I've been at GSU since 2005. I started as a temp in the Dean's office when I was nineteen. Right now, I work two jobs and attend night school at Atlanta Metropolitan College. I'm a psychology major, and I want to be a life coach for middle and high school students. I pay all my school expenses out of pocket, and I'm on track to graduate without any debt.

**Q: Debt free, huh? That's an accomplishment.**

**A:** Yes, I'm very proud of myself. I ate a lot of ham sandwiches and noodles, but I've made it so far.

**Q: It's my understanding that you are also in charge of the infamous RWA time stamp. Have you ever seen a student do something crazy to get their memo in on time?**

**A:** Okay, so it's 8:54 and someone literally throws me the title page to his memo and wants me to stamp it. Not the whole memo, just the title page. I politely told him that I could not stamp only the title page, as that would be against the rules.

**Q: Nice try, huh?**

**A:** Yeah, the strange thing is he actually had the rest of the memo with him, and just wanted to proofread it. He did his proofreading thing, then handed me the memo to stamp just in time. The stamp read "8:59:54."

**Q: Wow. Ever thought about going to law school?**

**A:** Honestly, no. I wanted to be a veterinarian my whole life, so I took college biology classes here at Georgia State. I've always been a big pet person, and I have two dogs: a Chihuahua and a poodle. I eventually learned that just because you like animals doesn't mean you want to operate on them,



and switched to psychology. My little brother was a big inspiration in facilitating the change.

**Q: What is the best thing about your job?**

**A:** I really like my coworkers. I work in a very laid-back but responsible environment with no drama. Coming to work is like coming home; I feel very comfortable here. Working at the law school makes for good social networking, too.

**Q: Good point. You'll always have a fresh supply of lawyers for all your legal needs. What do you like to do on your off-time?**

**A:** I am a book nerd; I would rather read than go to a movie. I'm finishing a book my friend wrote called "Soul on Fire." I'm a bigger nerd than people might think I am.

**Q: Do you have trouble remembering the names of all the people you meet as a receptionist?**

**A:** Well, I learned from my grandma to just say, "Hey, Sweetie," if you can't remember someone's name.

**Q: I'll have to try that. Since your job involves RWA, you get to work around a lot of stressed-out people. How do you cope with the stresses of school?**

**A:** Honestly, waiting until the last minute puts a fire under me. I do my best work when a deadline is coming up. As for studying, I prefer to study up here on the fourth floor; the law library is rather dreary. Plus, you have to be extremely quiet, and I like to talk. I've heard that people get reported for tapping pens. One more thing: this might sound a little strange, but every morning before I get to work, I think about what I am thankful for. It makes you realize there is so much more out there to be thankful for. You're lucky that you woke up.

**Q: It certainly helps to have some perspective. Thanks for letting me interrogate you!**

**A:** No problem. Thanks for the hot chocolate!



Team Harvey Woodley and cheerleaders. Top row left to right: Ginny Goddard, 1L; Ryan Kolb, 1L; THE Gino Emanuels, 2L; Matt Barnwell, 1L; Brett Switzer, 1L; David Mize, 1L; Will Driggers, 1L; Gabi Klaes, 1L; Jenna Cloyd, 1L. Bottom Row: Brian Klein, 1L; Billy Shaugnessy, 1L. Not pictured: Nick Foreste, 1L; Steve Huttman, 1L.

"[I have] used a lot of the techniques from competition in my everyday life at law school," Sam said. "I learned from a few trainers that visualization is the key: if you see yourself doing well, you will. If you repeat negative things in your head, even stuff you hope doesn't happen, it most likely will happen. I have had the worst falls when I'm thinking about the fall

before it happens. This has helped with moot court and with exams. Just relax, know you can do it, and get it done."

As we all know, having enough time for law school alone is extremely difficult and these amazing students have managed to balance sports and school, and learning some helpful skills along the way.



A selection of the original weekly content provided at [law.gsu.edu/thedocket](http://law.gsu.edu/thedocket).

## A hidden danger in “domestic violence”

By Drew Crecente, 2L

October, 2009, like every October since 1987, was Domestic Violence (DV) Awareness Month in the United States. Organizations throughout the country worked on various initiatives to increase awareness and education about DV in their efforts to mitigate a problem that affects over two million men and women per year and costs the government, employers, and workers an estimated 5.8 billion dollars per year in healthcare costs and lost productivity.

Awareness about DV is the first, and most critical, step in prevention. Unfortunately, “domestic violence” is saddled with a dangerous, self-defeating label. While *violence* is fitting and appropriate, *domestic* is neither, in both its implicit exclusion of some groups as well as the inappropriate connotations of its historical usage.

“Domestic,” as provided by Merriam-Webster’s online dictionary, has various definitions, including: “living near or about human habitations (the *domestic* cat); of or relating to the household or the family (*domestic* chores or *domestic* happiness); devoted to home duties and pleasures (leading a quietly *domestic* life).”

### Implicit exclusion

As defined, “domestic” violence

implicitly excludes some groups that we now know are affected by DV. Implicitly it excludes same-sex relationships (25-33 percent of these couples are estimated to be in abusive relationships); teenagers (while youth aged 18-24 comprise only 11.7 percent of the U.S. population, they represented 42 percent of victims of DV violence between 1998 to 2002); as well as any other non-married or non-cohabiting persons involved in dating relationships.

In addition to the societal impact of exclusion, many states have legislated a legal impact on these excluded groups by only providing assistance for those that are in a state of domesticity. When that domesticity does not exist, these groups are disallowed the legal protection available to married couples. Five states do not allow protective orders for same-sex couples and 11 states do not allow unmarried couples in a dating relationship to apply for protection under civil or restraining order laws.

### Historical usage

As indicated by its dictionary definition and popular usage, “domestic” is generally associated with happiness (“domestic happiness”), tameness (“a domesticated cat”), and solitude (“domestic tranquility”).

The label of “domestic violence,” while well-meaning, is improper due to its association with both these historical associations of tranquility as well as with the inaccurate implication that the violence is constrained to the physical household.

Although DV is considered by many to be an issue that only occurs “behind closed doors,” the sad reality is that 24.1 percent of all workplace violence has its nexus in DV, the third most common cause. School campuses are also affected. In 2007, 32 people were murdered on the Virginia Tech University campus.

The initial discovery of two bodies in the campus dormitory was believed to be a “domestic violence” incident by the police on the scene; as a result, no campus-wide notifications were sent and the campus was not locked down, affording the murderer the opportunity to prowl the campus unchallenged. Virginia Tech President Charles Steger said, “authorities believed that the shooting at the dorm was a domestic dispute and mistakenly thought the gunman had fled the campus. We had no reason to suspect any other incident was going to occur.”

The belief of the police in this situation is telling; “domestic violence” is a problem that, on its face, is contained and man-

ageable while “random shootings” are not. This dangerous thinking may have led to an additional 30 murders that day.

### Not just semantics

The issue here is not merely semantic but instead about recognizing the underlying dangers inherent in DV and then applying a label that appropriately communicates that danger. Nobody is suggesting that a more appropriate label will be a panacea. Instead, the new term would be an appreciation that as a society we are ready to recognize the underlying biases against DV in order to combat a problem that has historically received little attention. DV is not an isolated issue; DV is not something that happens to “other people;” DV is occurring today to either you or somebody that you care about. The only practical approach is to bring it out into the light, understand it for what it is, and then make those necessary changes to remove it from our society. Changing this incongruous label is an important step to indicate that as a community, we are willing to see it for what it really is; and that one step would be a great start.

A full version of this article is available online at [law.gsu.edu/thedocket/node/203](http://law.gsu.edu/thedocket/node/203).

## Lawyers gain from Georgia’s water issues

From the blog “What’s Happening Around Atlanta” by Robert Dukes, 2L

Unless you have avoided reading anything related the news altogether, you know that Georgia has serious water issues. Shortly after the multi-year drought ended, in July 2008, U.S. District Judge Paul Magnuson declared that Georgia water withdrawals from Lake Lanier were illegal. Furthermore, if Alabama, Florida, and Georgia cannot reach an agreement about sharing the Chattahoochee River system, under Judge Magnuson’s order, Georgia water withdrawals from the Lake would have to revert to levels not seen since the mid-1970s.

In order to find solutions to having enough water available for Metro Atlanta businesses and population, there will need to be lawyers who can craft good solutions and work on a number of different levels. First, the state is appealing the decision and have retained Paul Clement, former U.S. solicitor general and head of King & Spalding’s appellate division, to argue for its side. Clement has argued more than forty cases to the U.S. Supreme Court and

that could be one possibility of where Georgia wants to take the appeal.

Beyond the courthouse, lawyers will be needed in crafting statewide policies for a water system and in working with local governments for projects that pertain to water resources (which is mostly everything). In the January 2008, the General Assembly adopted a statewide management plan. The plan contained new requirements for permitting and monitoring water withdrawals. Also, in 2001, the state legislature prohibited interbasin transfer of water except inside the metro region due to fear of other parts of the state thinking that Atlanta would come and take their water. As evidenced, there is a lot of intergovernmental conflict and negotiation with water issues (as reported by Dave Williams, “Water Cases Send Dollars Flowing to Lawyers,” *Atlanta Business Chronicles*, Nov. 6, 2009 at 1A).

Due to the breadth of issues that come with water conflict or any natural resource, there are a number of potential opportuni-

ties that students can seek out to get ready for a career in the area of environmental law with a focus on water or natural resources. Some opportunities available at Georgia State University include:

- Taking a class with a focus on the appellate practice or participate in moot court competitions. A lot of issues involving local and state governments usually always get appealed. There is use for writing an appellate brief outside of RWA class.

- Take a negotiation course. Most of these issues do not go to court and it can’t hurt to become a master negotiator while you are still in school.

- Take a course on local government or volunteer to work with a local government. Georgia has over 100 counties so there are definitely lots of municipalities and local governments that await an eager law student’s assistance.

- Take a legislation course or find a small firm that does some lobbying and see if they could use a law student’s assistance.

GSU College of Law is within a short five minute walk from the Gold Dome so you would not have to worry about the commute from campus. Also, Jim Martin is teaching legislation this year so you could ask the questions about the Georgia Assembly that you always wanted to know but cannot find on the Internet.

- Take a class on natural resources. Georgia is full of minerals and there are a number of legal issues around the state that deal with surface mining, property, and water. The best part of natural resources is that they cannot be outsource and all the material is here in Georgia.

Robert Dukes has worked as an environmental engineer for the Georgia Department of Natural Resources and enjoys reading books on emerging technologies and social movements.



## Snap out of your false sense of security

From the blog “The Law Student in the New Economy” by Laura Ng, 2L

Pop culture fooled the vast majority of Americans into believing that most attorneys enjoy the jet-set lifestyle, replete with luxury cars, yachts, Armani suits, and beluga caviar. Societal misconceptions have lulled many law students – particularly bright-eyed 1Ls and even some 2Ls – into a false sense of security. Luckily for us, Georgia State (with its Career Services Office twittering weekly reminders; and its law professors presenting a Thursday lunch series: “Understanding Today’s Financial World”) is determined to help its law students understand and survive through the harsh realities of the current economic crisis.

Since January 2008, the legal industry has been rocked by an epidemic of nationwide layoffs purging not only staff but also thousands of attorneys from law firms throughout the United States every month. Web sites such as [abovethelaw.com](http://abovethelaw.com), [law.com](http://law.com) and [journal.com](http://journal.com) religiously kept track of the layoffs. In the past, such

pessimistic journalists failed to scare me with their dreary articles of impending doom and gloom, but now, I no longer feel the disconnect between their reports and my life.

Over the past year, I have seen a law school graduate (Emory Law ’09) evolve from a state of confident bliss at receiving an associate offer from a large Boston law firm in August 2008, into varying stages of anxiety as that law firm pushed back his starting date to October 2009, then to April 2010, and later to January 2011. In fall 2008 and spring 2009, several law firms even rescinded their job offers of associate positions to some of my friends, despite their high class rankings at top twenty law schools.

Too many friends, despite applying for hundreds of jobs and competing in moot court or working on law review, did not even experience in their 3L year the pleasure of receiving a single job offer to be an associate attorney. Other recent law school

graduates accepted full-time internships after graduation but struggled to pay for food and rent with their \$500 monthly stipend.

As I write this article, many unemployed recent law school graduates whom I know are scrounging for jobs as servers, sales associates, golf caddies, et cetera, to earn some money to pay off their bills and student loans. Unfortunately for unemployed high achievers, many restaurants, retail stores, and country clubs reject the job applicants who are too overqualified.

As a temporary remedy for those law school graduates who have trouble paying the bills, I would suggest applying for jobs in indigent criminal defense. Surprisingly the recession has not led to a significant rise in the number of applicants for public defender jobs in Atlanta. The public defender’s starting salary may be a humble \$37,000, but the job certainly pays more generously than a part-time stint at the local mall. Further, public defenders

quickly acquire a ton of litigation experience, which could help strengthen a resume. I know a high-powered attorney who started her legal career as a public defender intern and later moved on to become a Super Lawyer, an adjunct professor at Emory Law, an editor for the International Bar Association, and a regular commentator for CourtTV.

While you may not land the job with the \$160,000 salary directly out of law school, not all hope is lost. There is still light at the end of the tunnel.

Laura Ng studied Neuroscience and Behavioral Biology at Emory and is currently clerking for an intellectual property law firm and writing appellate briefs and memos for the Appellate Division of the Georgia Public Defender Standards Council.





Live Music Review:  
The Jane & Scott Show

By Ben Martin, 2L

Jane Stebbins, 2L, can be seen around campus carrying the various organic desserts she makes, but at night Stebbins unleashes her wild side as vocalist and bass player in The Jane and Scott Show. The alt-folk band, which performs as a duo or three piece, and includes the aforementioned Scott on guitar and "featured drummer" Goynid Dixit.

On November 10, 2009, the band ran through a set of ten humor-charged, rocking originals, including songs from its album Expectations for an enthusiastic crowd at the 10 High Club in Virginia-Highlands.

On stage, Stebbins served as the de facto leader of the group between songs, telling jokes, offering anecdotes about her songwriting inspirations, and generally keeping the crowd entertained. Her voice worked well with the instrumentation and rose at times along Scott's to create beautiful harmonies. Scott was generally restrained on guitar, playing rhythms that intertwined with Stebbins' bass lines but he was not afraid, as illustrated by the rocking "Expectations," to let loose and show off his chops with an impressive solo.

The group moved through the songs at a well-measured pace, giving the songs time to breath and showing the individuality that each track carries. Humor and warmth can be found in the lyrics, and many of the songs aptly sum up the ecstasy and frustration that sometimes come with juggling school, relationships, and life in general.

The show closed with a mellower song, "Southern Exposure." The slower tempo eased the crowd down from the frenetic pace of some of the earlier songs and served as a great set-closer.

Fans can follow The Jane and Scott Show at [www.js-show.com](http://www.js-show.com), which also doubles as Stebbins blog. The site also features previews of the group's work and is the best place to go for news and updates on the band's upcoming shows. Additionally, there is a link to iTunes where you can purchase Expectations, which is also available on Rhapsody and Amazon. The Jane and Scott Show can also be followed on Twitter, MySpace and Facebook.



Ask Carli...

By Carli Mingus, 2L



Dear Carli:

I am seriously crushing on this guy in my section. We hang out a lot, study together, and have become close since school started this year. Everyone tells me (including my guy friends) that we would be perfect together. I really like him too, and want to start pursuing it as a relationship. What should I do?

Sincerely,  
First Year in Love

Dear First Year in Love,

Generally, in a situation like this, I would say the best thing to do is to act like you are not super interested. Most guys like the chase. Give him something to work with so he knows you at least like him: flirt with him, but do not let him think you are only pursuing him. Men like a bit of mystery, but you have to let him know you like him so he is not putting himself out there blindly.

However, there is a time when the flirting has gone on too long and you just need to define it. For instance, are you hooking up? Hanging out every weekend? Doing stuff during the week that is non-academic? Texting all the time? What *kind* of texts? If it has been going on long enough and has turned into a pseudo relationship, you definitely have the right to define what is going on. Just be aware that asking a man to define a relationship can often be a scary prospect for them and sometimes has the bizarre effect of making them run in the other direction.

If the opportunity presents itself, bring it up carefully, just don't sound pushy. You have the right to know if you should let him go and start pursuing other people. Always remember, there are plenty of fish in the sea; do not throw yourself after someone who does not know how fabulous you are and who does not deserve you!

UPDATE: She finally asked him what was going on and he just wanted to be friends. She moved on and is dating other men.

LAWLcats: Miranda

By Ian Sansot, 2L



BIOETHICS AT THE MOVIES  
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Join the Student Health Law Association for this popular noon-time series. Faculty and professionals associated with the Center for Law, Health & Society show clips from contemporary movies and TV shows that raise a range of interesting issues in law and bioethics. Lunch is provided, Room 170.

February 3rd

Prof. Sylvia Caley presents:  
Too Much Love: Scenes from "A Place for Annie"

February 10th

Prof. Lisa Bliss presents:  
The Flu Shot: Scenes from "30 Rock"

February 17th

Prof. Paul Lombardo presents:  
Yearning to Breathe Free: Scenes from "The Golden Door"

February 24th

Prof. Leslie Wolf presents:  
The Original Death Squad:  
Scenes from "Arsenic and Old Lace"

March 3rd

Prof. Jonathan Todres presents:  
A Zombie's Guide to Public Health Law:  
Scenes from "The Return of the Living Dead"

March 17th

Jerri Nims Rooker, Center Associate Director presents:  
Miss Conception: Scenes from "Baby Mama"

March 25th (Part I) and April 6th (Part II)

Prof. Charity Scott with special guest speakers presents:  
Racial Disparities in Infant Health: Scenes from "Unnatural Causes: Is Inequality Making Us Sick?"

Sudoku - Easy

	3		4					2
2		4			1	9		
					9	3		
					3	7		
1		2			7	8		
	8		1					5
7		9	3		8	5		4
5		1						
8		3	5		6	1		9

Sudoku - Challenging

							9	
	1	4					8	7
8	9		7		5	6		
	3	9			4	1		5
4	8		2	3				
				6				
		1						6
5		7	9					2
3			6					



# The PATH to compromise: Greenspace can increase property values

By Jane Stebbins, 2L

A few blocks away from the frequently car-clogged junction of North Decatur Rd. and Clairmont Rd., deceptively calm after the storm of controversy that culminated in a settlement last December, there is a section of trail. A pedestrian can begin in the Medlock neighborhood and wander onto a section of boardwalk and concrete path that meanders through the woods along South Peachtree Creek, winding up in Mason Mill Park, avoiding the busy, loud, and largely sidewalk-less section of Clairmont Rd. (the primary route to Mason Mill). With the Clyde Shepard Nature Preserve only a few blocks away, this section of Peachtree Creek offers an idyllic option for an entire day of pretending you are not surrounded by urban sprawl.

The Medlock to Mason Mill section of the path is only one small part of a much larger movement in Atlanta to promote transportation alternatives, recreation, and environmental awareness. The Atlanta PATH foundation, which began in 1991, has created over 100 miles of trail in the Atlanta Metro Area. PATH's website states that they work closely with local government, and they have some highly influential sponsors, including Cox Enterprises, The Coca-Cola Company, NIKE and the Robert Woodruff Foundation.

However, the land the PATH Foundation uses has to come from somewhere. The Medlock section alone began with five eminent domain disputes and

nearly ended with a stop work order due to a number of legal issues regarding permits and improper contract bidding. The Three Forks Heritage foundation, a group vocally opposed to PATH in Dekalb County, including the section behind Medlock, blames irresponsibility in environmental planning and lack of communication with the communities affected. While the PATH website claims that property

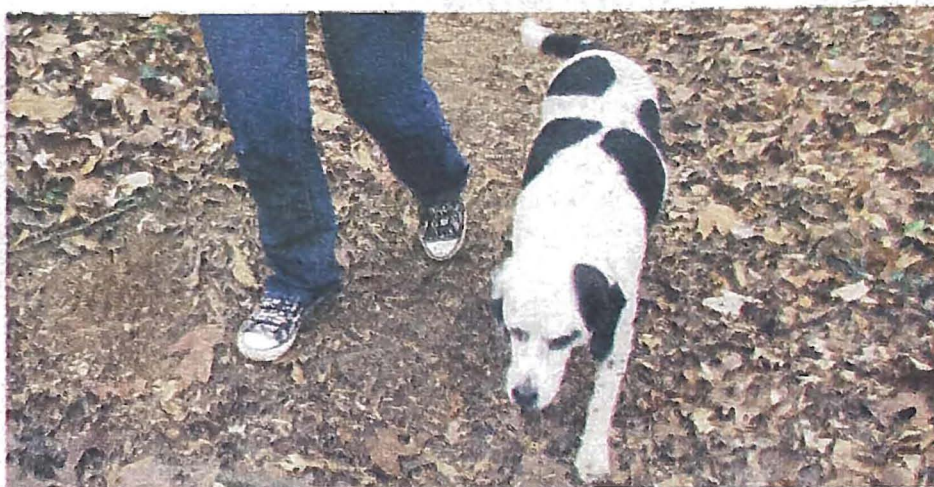
near PATH trails enhances that property's value, property owners who have portions of their backyards might disagree.

PATH proponents maintain that they are preserving greenspace and promoting environmental awareness by giving people an opportunity to be out in the woods. In addition, finished trails provide an efficient alternative to Atlanta's constant traffic problem.

PATH's long term goals are to connect the entire city with a web of pedestrian friendly trails. When Phase 2 of the South Peachtree Creek trail has finished, bikers and walkers will have a healthier option for commuting in the Clairmont Rd. area. Every cyclist winding through Mason Mill on his or her way to Emory is one less car on the narrow, two-lane road, providing a little more space and a little less pollution on a daily basis.

Please visit [www.pathfoundation.org](http://www.pathfoundation.org) for more information.

*PATH proponents maintain that they are preserving greenspace and promoting environmental awareness.*



A pleasant stroll on a safe walking path in Atlanta.

Photo by Alison Makins

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